

RESOLUTION NO. 3516

A RESOLUTION OF THE COUNCIL OF THE CITY OF LODI
DECLARING ITS INTENTION TO FORM A BUSINESS IMPROVE-
MENT AREA TO BE KNOWN AS "BUSINESS IMPROVEMENT AREA
NO. 1 OF THE CITY OF LODI," FIXING THE TIME AND PLACE
FOR HEARING. AND GIVING NOTICE THEREOF.

The City Council of the City of Lodi, California, does hereby resolve,
determine, and order **as** follows:

SECTION 1. AUTHORITY. The proceedings herein taken are taken pursuant
to the authority of the "Parking and Business Improvement Area Law of 1965,"
being Section 36,000 et seq. **as** amended of the Streets and Highways Code.

SECTION 2. INTENTION. The City Council hereby declares its intention
to form a Business Improvement Area in the City of Lodi in accordance with the pro-
visions of said law.

SECTION 3. NAME. The name of the proposed Parking and Business
Improvement Area intended to be formed is: "BUSINESS IMPROVEMENT AREA
NO. 1 OF THE CITY OF LODI," hereinafter for brevity and convenience some
times referred to as "Area."

SECTION 4. "AREA" DESCRIPTION. A description of the boundaries of
said "BUSINESS IMPROVEMENT AREA NO. 1 OF THE CITY OF LODI" including
the designation of separate benefit zones is contained and shown upon a map which
is attached hereto, marked Exhibit "A," and by reference made a part hereof. On
file in the office of the City Clerk is a larger map of this same area and other
information concerning the extent of said "Area" and the designation of separate
benefit zones. Said map is designated "BUSINESS IMPROVEMENT AREA NO. 1
OF THE CITY OF LODI," and by reference is also made a part hereof. Said
"Area" **shall** include both sides of the boundary streets and **shall** also include all
four **corners** where said boundary lines change direction.

SECTION 5. PROPOSED USES. The proposed **uses** to which the proceeds
from the additional tax revenue realized from the additional levy of license tax as
hereinafter provided, shall be put **are**:

- (1) The acquisition, construction or maintenance of parking facilities for the benefit of the "Area."
- (2) Decoration of any public place in the "Area."
- (3) Promotion of public events which are to take place on or in public places in the "Area."
- (4) Furnishing of music in any public place in the "Area."
- (5) The general promotion of business and retail trade activities in the "Area."

SECTION 6. BENEFIT ZONES. The "Area" is divided into separate benefit zones described as Zone 1 and Zone 2 as said zones are designated and shown on Exhibit "A" attached hereto.

SECTION 7. ADDITIONAL LEVY OF LICENSE TAX. It is proposed that an annual additional levy of business license tax on businesses conducting their activities in the two zones in the "Area," which is in addition to the ordinary business license tax imposed upon such business by Chapter 12 of the Code of the City of Lodi, shall be fixed and determined by the following schedule. The definition of the various kinds of businesses included in each class enumerated below shall be as contained in the appropriate section of the Code of the City of Lodi set after each business.

BUSINESS IMPROVEMENT AREA
ASSESSMENT PROPOSAL

Percentage is to be multiplied against the present applicable business license fee. The levy of the mil is to be multiplied times the **gross** sales of the merchant, which **sales are** subject to the **California Retail Sales and Use Tax**,

<u>TYPE OF BUSINESS</u>	<u>ZONE 1</u>	<u>ZONE 2</u>
<u>GENERAL RETAIL:</u>	400% 1-1/2 mil	300% 3/4 mil
Ready-to-wear, Furniture,		
Office Machines, Fabrics,		
Sundries, Drug Stores, Hard-		
ware, Books, Floor Covering.		
Liquor, Second-hand Stores,		
and Photo Studios		

<u>SERVICE BUSINESS:</u>	300%	3/4 mil	200%	1/2mil
Garages, Service Stations,				
Auto Parts & Repair, Laundry				
& Dry Cleaning, Bicycle Repair.				
Electric Repair, and Printing				
<u>PROFESSIONAL OFFICES:</u>	300%	- 0 -	200%	- 0 -
Lawyers, Doctors, Dentists.				
Optometrists, Accountants				
and Engineers				
<u>AUTO AND BOAT DEALERS:</u>	300%	- 0 -	200%	- 0 -
<u>PROFESSIONAL SERVICES:</u>	400%	- 0 -	400%	- 0 -
Newspaper, Telephone, Funeral				
Service, Real Estate, Stock				
Brokers, Travel Agencies and				
Finance				
<u>PERSONAL SERVICES:</u>	300%	- 0 -	200%	- 0 -
Barbers. Beauty Salons,				
and Beauty Colleges				
<u>MANUFACTURING :</u>	300%	- 0 -	200%	- 0 -
Wholesale, or retail				
outside Lodi trade area				
<u>BARS AND RESTAURANTS</u>	300%	1-112 mil	200%	1/2 mil
<u>GROCERY STORES</u>	300%	1/2 mil	200%	1/4 mil
<u>HOTELS AND ROOMING HOUSES</u>	400%	- 0 -	300%	- 0 -
<u>CARD ROOMS</u>	300%	- 0 -	200%	- 0 -
ALL OTHER	400%	- 0 -	300%	- 0 -

SECTION 8. EXEMPTION: VOLUNTARY CONTRIBUTION. Any business, person, or institution located within the said "Area," for which no additional tax levy is set forth in Section 7 hereof or which is exempt from the payment of the ordinary business license tax of the City by reason of the provisions of the United States or State Constitutions, is not to be taxed under this proceeding but may make a voluntary contribution to the City. Such contribution shall be used for the purposes provided in this resolution.

SECTION 9. ADVISORY BOARD, BUDGET AND AGREEMENT. For the sole purpose of advising the Council and making recommendations on the operation and extent of the "Area" and the methods and ways the revenue derived from the additional levy of license tax imposed by the ordinance shall be used within the scope of the purposes set forth in Section 5 above, and to perform such other powers and duties as the Council may determine, it is proposed to create an Advisory Board, consisting of Seven (7) members to be appointed by the Council, said Board members to be persons who have businesses within the "Area" and pay an additional levy of license tax as provided for by the ordinance. Three (3) members shall be appointed for a term of one (1) year. and four (4) members shall be appointed for a term of two (2) years. The terms of the first members shall be decided by lot. A vacancy resulting from any cause shall be filled by appointment of the City Council. The Council shall annually approve a budget submitted by the Advisory Board based on an annual year (January 1 to December 31, inclusive) which shall include an estimate of expenditures to be made to carry out the purposes of "BUSINESS IMPROVEMENT AREA NO. 1 OF THE CITY OF LODI, " and by agreement shall contract with said Advisory Board to carry out said purposes.

SECTION 10. COLLECTION OF ADDITIONAL TAX The collection of the annual additional levy of business license tax imposed by this ordinance shall be made on an annual year basis (January 1 to December 31, inclusive) and collected in the same manner as the ordinary business license tax of the City of Lodi under the provisions of Chapter 12 of the Code of the City of Lodi and such tax shall be computed in the manner provided in said Chapter 12 for each business according to the schedules set forth herein, and shall be due and payable as provided in said

Chapter 12. Any business which fails to remit to the City any additional license tax set forth in the ordinance within thirty (30) days from the due date, shall pay a penalty of ten percent (10%) of the amount of the additional levy in addition to the amount of the additional levy.

SECTION 11. TIME AND PLACE OF HEARING: NOTICE.

Notice is hereby given that the 4th day of August, 1971, at the hour of 8:00 o'clock p. m. in the Council Chambers of the City Council in the City Hall, located at 221 West Pine Street, Lodi, California, is the time and place fixed for the hearing on this Resolution of Intention for the proposed formation and establishment of said "BUSINESS IMPROVEMENT AREA NO. 1 OF THE CITY OF LODI." Any person interested and/or objecting or desiring to protest the formation and establishment of said "Area," and the extent thereof, the boundaries thereof, the proposed amount of additional levy of license tax, the classification of businesses, or to any other proposal or matter set forth in this Resolution of Intention, may appear before the Council at said time and place above specified and be heard.

SECTION 12. PUBLICATION AND MAILING OF NOTICE. The City Clerk shall cause this resolution to be published at least once in the Lodi News-Sentinel, a newspaper of general circulation, printed and published in said City, the first publication to be at least ten (10) days prior to the date of said hearing.

The City Clerk shall also mail a copy of this resolution postage prepaid, to each business in the proposed "Area," as described herein. which mailing shall be completed at least ten (10) days prior to the date of said hearing. all in accordance with Section 36,022 of the Streets and Highways Code of the State of California.

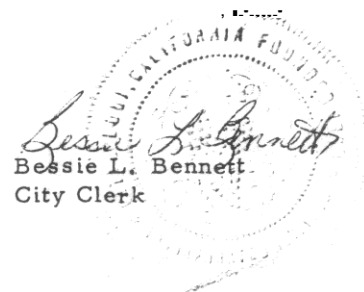
Dated: June 16, 1971.

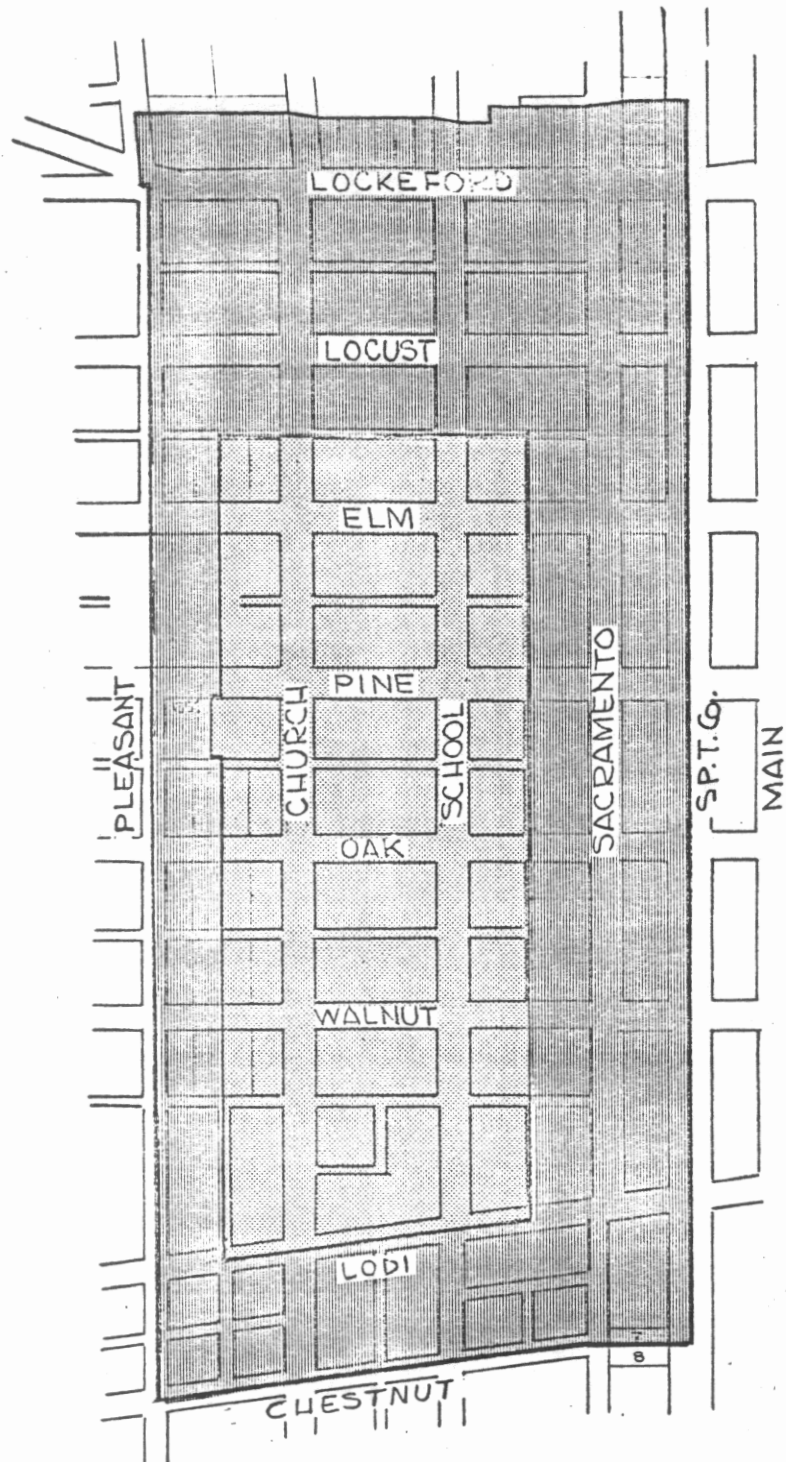
I hereby certify that Resolution No. 3516 was passed and adopted by the City Council of the City of Lodi in regular meeting held June 16, 1971 by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Kirsten and Katnich


Noes: Councilmen - None

Absent: Councilmen - Schaffer


Bessie L. Bennett
City Clerk



BUSINESS IMPROVEMENT AREA NO. 1

ZONE. 1 
ZONE 2 